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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,258	07/27/2001	Katsuhiko Makino	020274-000200US	7802
20350 7590 03/20/2008 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER LIVERSEDGE, JENNIFER L				
ART UNIT		PAPER NUMBER		
3692				
MAIL DATE		DELIVERY MODE		
03/20/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/917,258

Applicant(s)

MAKINO ET AL.

Examiner

Jennifer Liversedge

Art Unit

3692

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-7, 9-21, 23, 24, 32, 33, 36 and 37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-7, 9-21, 23, 24, 32, 33, 36 and 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/3508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for continued examination of Application 09/917,258 filed on February 28, 2008.

The amendment contains original claims: 4-5, 7, 9 and 11-12.

The amendment contains previously presented claims: 3, 6, 14, 16-17, 19-21 and 32-33.

The amendment contains amended claims: 10, 13, 15, 18 and 23-24.

The amendment contains new claims: 36-37.

Claims 1-2, 8, 22, 25-31, 34-35 have been canceled.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 28, 2008 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the

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subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 3-6, 14-17, 23-24, 32-33 and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,973,442 B1 to Drummond et al. (further referred to as Drummond), and further in view of US Pub. No. 2001/0032121 A1 to Le (further referred to as Le).

Regarding claim 32, Drummond discloses in a bank processing network (column 6, lines 25-41) having a plurality of automated teller machines (ATMs) (column 6, lines 25-41) and an information processing system (column 6, lines 25-67), wherein the information processing system comprises a central marketing customer information file (MCIF) server (column 5, lines 5-7; column 9, lines 1-40; column 10, lines 25-43; column 16, lines 9-67; column 18, line 62 – column 19, line 67), a method for providing customer service information to a customer conducting a transaction at one of the ATMs (column 16, lines 4-67), the method comprising:

Storing customer service information at the MCIF server (column 15, line 65 – column 16, line 3; column 16, lines 22-28; column 17, lines 1-4), the customer service information including customer attribute information and associated customer offer information, the customer offer information relating to customer specific marketing to a customer based on customer attribute information of that customer (column 16, lines 22-32);

In advance of a customer transaction, downloading at least parts of the customer service information from the MCIF server to the ATM, and arranging the customer service information at the ATM (column 10, line 64 – column 11, line 42; column 18, line 62 – column 19, line 67);

transmitting customer specific information where the customer specific information relates to the specific customer using the ATM (column 3, lines 47-50; column 5, lines 5-19; column 9, lines 10-24; column 13, lines 13-17; column 14, lines 23-27; column 15, line 65 – column 16, line 67);

wherein the bank processing network further comprises a central accounting system for storing transaction data for conducting transactions at the ATM, the central accounting system being separate from the central MCIF server (column 10, lines 25-43; column 17, lines 30-40; Figure 3), and wherein the bank branch office is located remotely from the central accounting system and central MCIF server (Figure 1; column 4, lines 53-58); and

wherein the bank has a plurality of remote bank branch offices, wherein the central accounting system and the central MCIF server are located at a central location

of the bank (Figures 1 and 3; column 4, lines 53-58; column 10, lines 25-43; column 11, lines 8-42; column 17, lines 30-40).

Drummond does not disclose:

at least one integrated ATM monitoring apparatus, wherein the ATM monitoring apparatus and the ATMs are in two-way communication with each other and are located at a branch office of the bank, transmitting customer specific information from an ATM to the ATM monitoring apparatus in response to a customer conducting a transaction at the terminal, providing selected customer offer information from the ATM monitoring apparatus to the ATM in response to the customer specific information; and wherein the ATM monitoring apparatus and the ATMs are separate from each other and are located at one of the branch offices of the bank.

However, Le discloses at least one integrated monitoring apparatus, wherein the monitoring apparatus and the kiosk are in two-way communication with each other and are located at a local site (page 3, paragraphs 35, 41 and 44-46; page 4, paragraphs 49-50; page 5, paragraph 68), transmitting customer specific information from a kiosk to the monitoring apparatus in response to a customer conducting a transaction at the terminal (page 3, paragraphs 41 and 44-46; page 4, paragraphs 49-50 and 56-57), providing selected customer offer information from the monitoring apparatus to the kiosk in response to the customer specific information (page 3, paragraphs 41 and 44-46; page 4, paragraphs 49-50 and 56-57), and wherein the monitoring apparatus and the kiosk are separate from each other and are located at a local site (Figures 1-3).

It would be obvious to one of ordinary skill in the art to modify the automated banking machine providing customer specific advertising using a proxy server as disclosed by Drummond to adapt the use of locating the proxy server (monitoring apparatus) at the local site. The motivation would be that a local proxy server (monitoring apparatus) which stores information sent from a MCIF file server provides for quicker access to the information as the information is locally located and the server is not required to access a remote database to obtain the information.

Regarding claim 36, Drummond discloses in a bank processing network (column 6, lines 25-41) having a plurality of automated teller machines (ATMs) (column 6, lines 25-41) and an information processing system (column 6, lines 25-67), wherein the information processing system comprises a central marketing customer information file (MCIF) server (column 5, lines 5-7; column 9, lines 1-40; column 10, lines 25-43; column 16, lines 9-67; column 18, line 62 – column 19, line 67), a method for providing customer service information to a customer conducting a transaction at one of the ATMs (column 16, lines 4-67), the method comprising:

Storing customer service information at the MCIF server (column 15, line 65 – column 16, line 3; column 16, lines 22-28; column 17, lines 1-4), the customer service information including customer attribute information and associated customer offer information, the customer offer information relating to customer specific marketing to a customer based on customer attribute information of that customer (column 16, lines 22-32);

In advance of a customer transaction, downloading at least parts of the customer service information from the MCIF server to the ATM, and arranging the customer service information at the ATM (column 10, line 64 – column 11, line 42; column 18, line 62 – column 19, line 67);

transmitting customer specific information where the customer specific information relates to the specific customer using the ATM (column 3, lines 47-50; column 5, lines 5-19; column 9, lines 10-24; column 13, lines 13-17; column 14, lines 23-27; column 15, line 65 – column 16, line 67);

wherein the bank processing network further comprises a central accounting system for storing transaction data for conducting transactions at the ATM, the central accounting system being separate from the central MCIF server (column 10, lines 25-43; column 17, lines 30-40; Figure 3), and wherein the bank branch office is located remotely from the central accounting system and central MCIF server (Figure 1; column 4, lines 53-58); and

wherein the bank has a plurality of remote bank branch offices, wherein the central accounting system and the central MCIF server are located at a central location of the bank (Figures 1 and 3; column 4, lines 53-58; column 10, lines 25-43; column 11, lines 8-42; column 17, lines 30-40).

Drummond does not disclose:

at least one integrated ATM monitoring apparatus, wherein the ATM monitoring apparatus and the ATMs are in two-way communication with each other and are located at a branch office of the bank, transmitting customer specific information from an ATM

to the ATM monitoring apparatus in response to a customer conducting a transaction at the terminal, providing selected customer offer information from the ATM monitoring apparatus to the ATM in response to the customer specific information, wherein the transfer of customer offer information from the ATM monitoring apparatus to the ATM is under the control of an application within the ATM monitoring apparatus, and wherein the ATM monitoring apparatus and the ATMs are separate from each other and are located at one of the branch offices of the bank.

However, Le discloses at least one integrated monitoring apparatus, wherein the monitoring apparatus and the kiosk are in two-way communication with each other and are located at a local site (page 3, paragraphs 35, 41 and 44-46; page 4, paragraphs 49-50; page 5, paragraph 68), transmitting customer specific information from a kiosk to the monitoring apparatus in response to a customer conducting a transaction at the terminal (page 3, paragraphs 41 and 44-46; page 4, paragraphs 49-50 and 56-57), providing selected customer offer information from the monitoring apparatus to the kiosk in response to the customer specific information (page 3, paragraphs 41 and 44-46; page 4, paragraphs 49-50 and 56-57), wherein the transfer of customer offer information from the ATM monitoring apparatus to the ATM is under the control of an application within the ATM monitoring apparatus (page 3, paragraphs 44-46; page 4, paragraphs 49-50), and wherein the monitoring apparatus and the kiosk are separate from each other and are located at a local site (Figures 1-3).

It would be obvious to one of ordinary skill in the art to modify the automated banking machine providing customer specific advertising using a proxy server as

disclosed by Drummond to adapt the use of locating the proxy server (monitoring apparatus) at the local site. The motivation would be that a local proxy server (monitoring apparatus) which stores information sent from a MCIF file server provides for quicker access to the information as the information is locally located and the server is not required to access a remote database to obtain the information.

Regarding claim 37, Drummond discloses in a bank processing network (column 6, lines 25-41) having a plurality of automated teller machines (ATMs) (column 6, lines 25-41) and an information processing system (column 6, lines 25-67), wherein the information processing system comprises a central marketing customer information file (MCIF) server (column 5, lines 5-7; column 9, lines 1-40; column 10, lines 25-43; column 16, lines 9-67; column 18, line 62 – column 19, line 67), a method for providing customer service information to a customer conducting a transaction at one of the ATMs (column 16, lines 4-67), the method comprising:

Storing customer service information at the MCIF server (column 15, line 65 – column 16, line 3; column 16, lines 22-28; column 17, lines 1-4), the customer service information including customer attribute information and associated customer offer information, the customer offer information relating to customer specific marketing to a customer based on customer attribute information of that customer (column 16, lines 22-32);

In advance of a customer transaction, downloading at least parts of the customer service information from the MCIF server to the ATM, and arranging the customer

service information at the ATM (column 10, line 64 – column 11, line 42; column 18, line 62 – column 19, line 67);

transmitting customer specific information where the customer specific information relates to the specific customer using the ATM (column 3, lines 47-50; column 5, lines 5-19; column 9, lines 10-24; column 13, lines 13-17; column 14, lines 23-27; column 15, line 65 – column 16, line 67);

wherein the customer offer information relates to screen display information to be displayed at a screen of the ATM (column 11, lines 16-32; column 16, lines 40-67; column 17, line 51 – column 18, line 9);

wherein the ATM determines whether selected customer offer information has been transferred to the ATM, and if not, the ATM displays standard screen display information without customer offer information (column 3, lines 20-25; column 10, line 64 – column 11, line 8; column 14, lines 48-60; column 17, line 51 – column 18, line 10; column 21, lines 61-67);

wherein the bank processing network further comprises a central accounting system for storing transaction data for conducting transactions at the ATM, the central accounting system being separate from the central MCIF server (column 10, lines 25-43; column 17, lines 30-40; Figure 3), and wherein the bank branch office is located remotely from the central accounting system and central MCIF server (Figure 1; column 4, lines 53-58); and

wherein the bank has a plurality of remote bank branch offices, wherein the central accounting system and the central MCIF server are located at a central location

of the bank (Figures 1 and 3; column 4, lines 53-58; column 10, lines 25-43; column 11, lines 8-42; column 17, lines 30-40).

Drummond does not disclose:

at least one integrated ATM monitoring apparatus, wherein the ATM monitoring apparatus and the ATMs are in two-way communication with each other and are located at a branch office of the bank, transmitting customer specific information from an ATM to the ATM monitoring apparatus in response to a customer conducting a transaction at the terminal, providing selected customer offer information from the ATM monitoring apparatus to the ATM in response to the customer specific information; and wherein the ATM monitoring apparatus and the ATMs are separate from each other and are located at one of the branch offices of the bank.

However, Le discloses at least one integrated monitoring apparatus, wherein the monitoring apparatus and the kiosk are in two-way communication with each other and are located at a local site (page 3, paragraphs 35, 41 and 44-46; page 4, paragraphs 49-50; page 5, paragraph 68), transmitting customer specific information from a kiosk to the monitoring apparatus in response to a customer conducting a transaction at the terminal (page 3, paragraphs 41 and 44-46; page 4, paragraphs 49-50 and 56-57), providing selected customer offer information from the monitoring apparatus to the kiosk in response to the customer specific information (page 3, paragraphs 41 and 44-46; page 4, paragraphs 49-50 and 56-57), and wherein the monitoring apparatus and the kiosk are separate from each other and are located at a local site (Figures 1-3).

It would be obvious to one of ordinary skill in the art to modify the automated banking machine providing customer specific advertising using a proxy server as disclosed by Drummond to adapt the use of locating the proxy server (monitoring apparatus) at the local site. The motivation would be that a local proxy server (monitoring apparatus) which stores information sent from a MCIF file server provides for quicker access to the information as the information is locally located and the server is not required to access a remote database to obtain the information.

Regarding claim 33, Drummond discloses the method further comprising:

Storing a plurality of screen displays in advance at the ATM, each screen display relating to a different customer offer information (column 18, line 62 – column 19, line 67); and

Displaying one of the screen displays at the ATM in response to the selected customer offer information being provided from the ATM monitoring apparatus to the ATM (column 7, lines 25-48; column 11, lines 16-42; column 16, line 4 – column 17, line 5; column 17, line 51 – column 18, line 9; column 18, line 62 – column 19, line 67).

Regarding claim 3, Drummond discloses the method wherein the customer attribute information comprises information identifying either one or both of (a) particular personal attributes of the customer and (b) attributes of an account maintained for the customer (column 13, lines 13-34; column 16, lines 1-3 and 22-28).

Regarding claim 4, Drummond discloses wherein the customer attribute information further comprises data identifying the bank account of the customer (column 5, lines 5-19).

Regarding claim 5, Drummond discloses the method wherein the customer attribute information further comprises the address of the customer (column 12, lines 53-56; column 13, lines 24-30).

Regarding claim 6, Drummond discloses the method wherein the customer attribute information further comprises data relating to prior transactions conducted by the customer (column 16, lines 25-29; column 23, lines 13-18).

Regarding claim 14, Drummond discloses the method wherein the customer offer information relates to information for implementing a customer specific service to a plurality of customers having related customer attribute information (column 17, line 65-column 18, line 1).

Regarding claim 15, Drummond discloses the method wherein the ATM dispenses a card to the customer and wherein the customer offer information relates to display information to be printed on the card by the terminal (column 1, lines 39-42). Drummond discloses coupons, tickets, etc. all of which could be "cards" which is a relative term and will be interpreted to include items as disclosed by Drummond.

Regarding claim 16, Drummond discloses the method wherein the customer offer information relates to display information of potential interest to a plurality of customers having related customer attribute information, said display information comprising promotion display information relating to a promotional event of potential interest to the customers (column 17, line 65-column 18, line 1).

Regarding claim 17, Drummond discloses the method wherein the display information further comprises administrator display information relating to instructions for directing the customers to a human administrator for further action in connection with the promotional event (column 16, lines 15-67).

Regarding claim 23, Drummond discloses the method wherein the customer specific information transmitted from the ATM further comprises data identifying the type of transaction being conducted by the customer (column 9, lines 47-52; column 13, line 60 – column 14, line 5; column 17, lines 12-25).

Regarding claim 24, Drummond discloses the method wherein the customer specific information transmitted from the ATM further comprises data identifying an account of the customer (column 12, line 37 – column 13; column 16, lines 22-33; column 17, lines 6-40).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond and Le as applied to claim 3 above, and further in view of "Citibank Unveils New Automatic Teller Machine Technology to Aid Individuals with Disabilities" by S. Weeks, Sept. 30, 1992 (further referred to as Weeks).

Neither Drummond nor Le disclose wherein the customer attribute information further comprises data identifying whether the customer is sight-impaired and wherein the customer offer information operates the terminal so as to increase the size of the transaction information displayed on the terminal.

Drummond does disclose storing customer attribute information wherein examples if information stored include gender and customer preferences (column 16, lines 22-32), the use of HTML documents with tags assigned to control such features as fonts and layouts, such that the tags tell the browser how to display the information (page 2, lines 50-63), and wherein user information is stored and wherein users can establish preferences based on their stored information and wherein tags are used to display items on the screen according to those tags. Examiner takes Official Notice that the customer preference storing and use of HTML tags for feature and display control is old and well known. It would have been obvious to one of ordinary skill in the art at the time of invention that tags could be used to indicate printing larger font for those customers who are visually impaired, the motivation being to enable all customer s access to the ATM in a manner in which they could make use of the machine.

Further, Weeks discloses ATM technology to facilitate the accessibility of such individuals as visually impaired through the use of a large font size (page 2, lines 5-7 and lines 19-21).

It would be obvious to one of ordinary skill in the art to combine the use of large font size for conducting ATM transactions by the visually impaired as disclosed by Weeks with the ATM system as disclosed by Drummond and Le. The motivation would be to provide ATM services for all individuals using existing technology to do so.

Claim 9-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond and Le as applied to claim 3 above, and further in view of "Neglected Shoppers Rejoice: Customer Service is Returning" by B. Aarsteinsen, Nov. 9, 1990 (further referred to as Aarsteinsen).

Regarding claim 9, neither Drummond nor Le disclose the method wherein the customer attribute information comprises data identifying the customer as having special customer status. However, Aarsteinsen discloses the method wherein the customer attribute information comprises data identifying the customer as having special customer status (page 2, lines 49-52). It would be obvious to one of ordinary skill in the art to combine using the label of special customer as disclosed by Aarsteinsen with the ATM promotional and communication services as disclosed by Drummond and Le. The motivation would be to create a label for the customers which

Drummond segments/individualizes when their profile indicates they are a special customer and deserving of attention and focus.

Regarding claim 10, neither Drummond nor Le disclose the method wherein the customer offer information comprises data causing the ATM monitoring apparatus to notify a human administrator of the special customer status. However, Aarsteinsen discloses the method wherein the customer offer information comprises data causing the local computer system [which in the ATM environment would be the ATM monitoring apparatus] to notify a human administrator of the special customer status (page 2, lines 14-19). It would be obvious to one of ordinary skill in the art to combine notifying a human administrator regarding a special customer as disclosed by Aarsteinsen with the ATM promotional and communication services as disclosed by Drummond and Le. The motivation would be to be sure that special customers were given the highest level of service available and to have a positive experience during their transaction.

Regarding claim 11, neither Drummond nor Le disclose the method wherein the customer attribute information comprises data identifying the customer as having preferred customer status. However, Aarsteinsen discloses the method wherein the customer attribute information comprises data identifying the customer as having preferred customer status (page 2, lines 49-52). It would be obvious to one of ordinary skill in the art to combine using the label of preferred customer as disclosed by Aarsteinsen with the ATM promotional and communication services as disclosed by

Drummond and Le. The motivation would be to create a label for the customers which Drummond segments when their profile indicates they are a preferred customer. The use of special or preferred customer designation is used in various applications in industry such as frequent flier airline awards programs, frequent guest hotel awards programs, frequent diner award programs is well known. In addition to programs related to frequency of interaction, guests of special status are identified based on prestige, title (President, CEO, etc.), level of savings accounts such as high-yield account holders, large-scale investors, etc. These individuals are often addressed by the more senior management, provided with special services, special allowances made, etc. For example, when a frequent flier checks in, the attribute information related to their account immediately identifies that traveler as a frequent flier and special boarding and sometimes seat upgrades are offered based on that data. They are both a special customer, and a customer with preferred status.

Regarding claim 13, Drummond discloses the method wherein the customer offer information relates to display information to be displayed at the ATM and directing the customer to a human administrator (column 16, lines 47-55).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond, Le and Aarsteinsen as applied to claim 9 above, and further in view of "Freddie Mac is Avoiding Bad Loans" by P. Reeves, Nov. 23, 1997 (further referred to as Reeves). Neither Drummond, Le nor Aarsteinsen disclose the method wherein the

special customer status is a poor credit status. However, Reeves discloses the method wherein the special customer status is a poor credit status (page 1, lines 9-14). It would be obvious to one of ordinary skill in the art to combine the label of poor credit as disclosed by Reeves with the ATM promotional and communication services as disclosed by Drummond, Le and Aarsteinsen. The motivation would be to create a label for the customers which Drummond and Aarsteinsen segment/individualize when their profile indicates they are a special customer and deserving of attention and focus such that special attention is noted regarding their poor credit.

Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond and Le as applied to claim 17 above, and further in view of "Tanger Shoppers Score Big Outlet Savings During Super Bowl Scratch and Win Event" on PR Newswire, Dec, 1999 (further referred to as PR Newswire).

Regarding claim 18, neither Drummond nor Le disclose the method wherein the promotion display information is printed on a game card dispensed at the ATM, the game card separately having portions to be rubbed away to reveal information relating to game awards.

However, PR Newswire discloses promotion display information printed on a game card dispensed at the terminal (wherein an ATM is a terminal), the game card separately having portions to be rubbed away to reveal information relating to game awards (page 1, lines 11-14). It would be obvious to one of ordinary skill in the art to

combine the distribution of game cards as disclosed by PR Newswire with the ATM dispensing mechanism as disclosed by Drummond and Le. The motivation would be that in addition to vouchers and receipts and cash and tickets, etc. distributed, game cards would be distributed as an incentive to use the machine, or to build loyalty to the sponsoring institution.

Regarding claim 19, Drummond discloses the method wherein the customer offer information further relates to transaction display information on one or more transactions that may be selected by the customers and then conducted at the ATM (column 3, lines 20-25 and lines 48-51; column 16, lines 40-55; column 17, lines 12-15).

Regarding claim 20, Drummond discloses the method wherein the transaction display information displays information concerning standard transactions that are applicable to all customers who may use the ATM, and such transaction display information is displayed when neither of the promotion display information and the administrator display information is transmitted by the information processing system to the ATM (column 3, lines 20-25; column 10, line 64 – column 11, line 8; column 21, lines 61-67).

Regarding claim 21, Drummond discloses the method wherein the transaction display information is displayed when the promotion display information and the administrator display information is not displayed to the customer within a

predetermined period of time after initiating a transaction at the ATM (column 14, lines 48-60; column 17, line 51 – column 18, line 10).

Response to Arguments

Applicants have presented in the present amendment two new independent claims 36 and 37, which are variants of the previously presented independent claim 32. However, as presented in the rejection of independent claims 32, 36 and 37 above, the limitations as newly added are taught by Drummond and/or Le.

In addition, several arguments were presented as to the teachings of Drummond and Le, either alone or in combination. Examiner believes that each of these points were covered in detail during the most recent phone interview. However, for completeness of the record and response to the amendment, the primary arguments and responses will be addressed here.

Applicant argues that Le fails to make up for the limitations which are missing from Drummond. Specifically, applicant argues:

- a) There is no financial transaction being conducted with the ATM in Le.
- b) There is no client specific information identifying a client in response to a customer conducting a transaction, and there is no providing of selected customer offer information in response to the customer specific information
- c) The information provided by Le is not provided by a local server of an ATM monitoring apparatus, but rather is provided remotely from a client server.

Regarding the first assertion, Le was not used to teach the conducting of a financial transaction at an ATM. That limitation is addressed by Drummond and Le is used for the limitation of a local server controlling the information being provided at a terminal or kiosk. The use of terminals, kiosks, ATMs, CATs, etc. are all known means of providing customers with convenient access to commonly carried out transactions and while Le's kiosk is not used for carrying out financial transactions, it still represents analogous art as it relates to the practice of providing customer transactions at conveniently located terminals and kiosks.

Regarding the second assertion, Le does in fact provide customer specific information. As particularly shown in Figure 10 item 526; page 4, paragraph 57 and page 5, paragraph 64, Le discloses the use of customer specific information. However, it is again noted that Drummond was relied on the teaching of customer specific information and Le was used to teach the limitation of a local server controlling the information being provided at a terminal or kiosk.

Regarding the third assertion, Le does in fact teach where information is provided to an ATM by a local server of an ATM monitoring apparatus. Le discloses the material as claimed in the present application, namely that a remote server provides information to a local server of an ATM and then wherein the local server controls the information to be displayed at the ATM. This feature is taught explicitly by Le in at least the following locations: page 3, paragraphs 41 and 44-46; page 4, paragraphs 49-50 and 56-57.

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

Art Unit 3692

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